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General Assembly

Forty-ninth Session

Official Records

68th Meeting

Monday, 28 November 1994, 10 a.m.

New York

President: Mr. Essy . . . . . (Côte d'Ivoire)

The meeting was called to order at 10.20 a.m.

Agenda item 37 ***(continued)***

Strengthening of the coordination of humanitarian and disaster relief assistance of the United Nations, including special economic assistance

(a) Strengthening of the coordination of emergency humanitarian assistance of the United Nations

(i) Report of the Secretary-General (A/49/177 and Corr.1 and Add.1)

(ii) Draft resolution (A/49/L.19)

(b) Special economic assistance to individual countries or regions

(i) Reports of the Secretary-General (A/49/158, A/49/263 and Corr.1, A/49/356, A//49/376, A/49/387 and Corr.1, A/49/388, A/49/396, A/49/397, A/49/431, A/49/456, A/49/466, A/49/470, A/49/516, A/49/562, A/49/581, A/49/683)

(ii) Draft resolutions (A/49/L.26, A/49/L.28, A/49/L.30, A/49/L.31, A/49/L.32, A/49/L.34, A/49/L.36, A/49/L.37, A/49/L.39)

(c) International Decade for Natural Disaster Reduction

(i) Note by the Secretary-General (A/49/453)

(ii) Report of the World Conference on Natural Disaster Reduction (A/CONF.172/9 and Add.1)

(iii) Draft resolutions (A/49/L.21, A/49/L.29)

(d) International cooperation to mitigate the environmental consequences on Kuwait and other countries in the region resulting from the situation between Iraq and Kuwait: report of the Secretary-General (A/49/207 and Corr.1)

(f) Emergency international assistance for a solution to the problem of refugees, the restoration of total peace, reconstruction and socio-economic development in war-stricken Rwanda: draft resolution (A/49/L.24/Rev.1)

(g) Special assistance to countries receiving refugees from Rwanda: draft resolution (A/49/L.17/Rev.2)

The President (*interpretation from French*): I wish to draw the attention of members to an additional draft resolution the Assembly has before it under sub-item (b) of agenda item 37, namely, draft resolution A/49/L.39, "Assistance for the reconstruction and development of El Salvador".

94-87228 (E)

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Mr. Sardenberg (Brazil): The delegation of Brazil has considered with great interest the report presented to the General Assembly pursuant to the requests contained in resolution 48/57 and Economic and Social Council decision 1994/291.

It was with some surprise that we noted that the measures identified by the Inter-Agency Standing Committee for enhancing field-level coordination are addressed only to complex emergencies, a specification that was not made in the terms of resolution 48/57. The report goes on to define complex emergencies as those that do not

> "fall within the mandate and competence of given United Nations organizations." *(A/49/177/Add.1, para. 10)*

In the view of my delegation, a precise distinction between complex and non-complex emergencies has as yet to be defined. In fact, the difficulties of attempting to determine such a distinction have been specifically avoided in relevant resolutions of the General Assembly, which speak only of natural disasters and other emergencies.

Although the agreed conclusions of the 1993 substantive session of the Economic and Social Council refer to complex emergencies, my delegation has reiterated on several occasions that these conclusions should not be seen as precedents for the specific language of General Assembly resolutions, at the risk of undermining the flexibility inherent in the agreed-conclusions format.

This is all the more relevant when a closer analysis of those agreed conclusions reveals that complex emergencies are portrayed in one instance as those that are not natural disasters, while in another they are described as those that require a system-wide response. It is clear that these alternative definitions are not equivalent, for such an interpretation would be tantamount to saying that natural disasters do not require a systemwide response, an interpretation that would be highly regrettable.

It seems, however, that in presenting a definition of complex emergencies the report only contributes to aggravating this confusion. By defining complex emergencies as those that require coordinated systemwide response and at the same time highlighting the notion that preventive actions for impending complex emergencies are constituted by preventive diplomacy, we are led to believe that complex emergencies are only man-made and that therefore natural disasters can be tackled without a coordinated systemwide response.

The Inter-Agency Standing Committee has recommended, in compliance with the request contained in resolution 48/57, that the interim mechanism for financing coordination arrangements in the initial stage of an emergency, the use of the interest earned by the Central Emergency Revolving Fund (CERF), be continued. There is, however, very little information on the amount of funds currently available through that mechanism, on the estimated requirements and on the reimbursement record so far of the utilization of CERF interest apart from the fact that $200,000 has been used in the case of Rwanda.

This information is essential, since the use of interest from CERF would also be on a revolving basis, and yet last year's report clearly identifies field-level coordination costs as those components with the lowest response in the consolidated appeals process. It seems evident that such a measure would still be insufficient as there is an additional proposal for "increased standby funds for quick-response coordination", on which my delegation would appreciate further clarification.

Another area which raises some concern for my delegation relates to the appointment of humanitarian coordinators. Although we welcome the fact that the Inter-Agency Standing Committee has come to an agreement on this issue, there are still certain aspects which require clarification.

First, we are given the impression that a humanitarian coordinator will be designated for every complex emergency, whether or not he is already the resident coordinator. This seems to contradict General Assembly resolution 46/182, which states that:

> "the resident coordinator should normally coordinate the humanitarian assistance of the United Nations system" *(resolution 46/182, annex, para. 39)*.

The fact that the resident coordinator, who is appointed by the Secretary-General with the agreement of the host Government, has such a mandate would seem to obviate the need for his reappointment as humanitarian coordinator.

Furthermore, we deem it essential that in the few instances where a special humanitarian coordinator is required he should necessarily be designated resident coordinator, in line with the approved procedures, in

order to ensure that there is no lack of continuity in the transition from relief to rehabilitation and development.

Finally, we understand that it is necessary to outline clearly the relationship between the resident coordinator and the humanitarian coordinator when he is one of the agency representatives, as well as his relationship with the proposed zone-area coordinators.

With regard to the possible enlargement of the CERF, we are convinced that this is a necessary measure, particularly in the light of the unsuccessful attempts to accelerate the reimbursement to the Fund. This had been identified in resolution 48/57 as an alternative to the enlargement, but it is now evident that such an alternative is not feasible. In this respect, the Government of Brazil is ready to consider participating, within its possibilities, in a concerted effort by the membership to increase the funds available to the CERF.

The delegation of Argentina has brought a timely and relevant initiative before the General Assembly — the constitution of national volunteer corps that could be called upon by the United Nations in the context of humanitarian emergencies: the "white helmets" initiative.

The delegation of Brazil welcomes the constructive informal consultations promoted by the Argentine delegation with a number of interested parties. The draft resolution benefited from a wide range of comments and suggestions made in these consultations, and the result is a well-balanced text, which provides clear guidelines as to the modalities of participation by volunteers in the response of the United Nations system to humanitarian emergencies. My delegation is therefore pleased to join the sponsors of the draft resolution.

Finally, I should like to take this opportunity to convey to the Under-Secretary-General for Humanitarian Affairs, Mr. Peter Hansen, and to the dedicated staff of the Department of Humanitarian Affairs and of the agencies involved in the provision of humanitarian assistance the appreciation of the delegation of Brazil for their selfless commitment, frequently at great personal risk, to the increasing tide of victims of natural disasters and other emergencies — a tide that threatens to engulf even the best efforts of the international community if we do not act promptly to address the root causes of these emergencies: lack of development.

Mr. Catarino (Portugal): The Portuguese delegation fully supports the statement made by the representative of Germany on behalf of the European Union concerning the strengthening of the coordination of emergency humanitarian assistance of the United Nations.

I should like, however, to address the sub-item related to assistance to Mozambique. In this context, I reaffirm that the Government of Portugal welcomes the successful conclusion of the recent elections in Mozambique. I congratulate the Mozambican people on the highly civilized manner in which the electoral process was conducted and wish to convey our appreciation to the Government of Mozambique and all the other parties involved in the electoral process.

We sincerely hope that a new page has been turned in the history of this brotherly country and that the Mozambican people will use all their human and natural resources for the construction of a new society in which the well-being and rights of the citizens are fulfilled. In their efforts, they should be able to rely on the support of the international community. I am pleased to note that under agenda item 37, "Strengthening of the coordination of humanitarian and disaster relief assistance of the United Nations, including special economic assistance", a sub-item relating specifically to assistance to Mozambique has been included.

The report contained in document A/49/387 gives an overall view of the different programmes carried out by the Department of Humanitarian Affairs in the light of emergency requirements for the period 1992-94: food aid, basic health services and nutrition, water supply and sanitation, agriculture, the repatriation of refugees and the transportation of internally displaced people. Special attention should, however, be given to programmes in the areas of the reintegration of civilians and demobilized soldiers, road reconstruction and mine clearance. In this context, I commend the Under-Secretary-General for Humanitarian Affairs and Emergency Relief Coordinator, Mr. Peter Hansen, for his active role and his dedication in these fields.

Adding to the human suffering in Mozambique, heavy damage was caused by cyclone Nadia, which recently devastated the country — mainly its northern provinces. Portugal, having followed with concern this natural disaster, which seriously affected the housing and crops of the Mozambican people, provided relief aid.

My Government strongly supports the efforts made by the Government of Mozambique, in cooperation with the Department of Humanitarian Affairs and other

relevant organizations of the United Nations system, to ensure the implementation of development projects, especially with regard to poverty alleviation, the strengthening of institutional and human capacities, and all programmes to pave the way to national reconstruction and the country's economic rehabilitation.

We believe that it is of the utmost importance that the United Nations system continue to mobilize the financial, technical and material resources required by the new Government in order to help the people of Mozambique to achieve a better life for future generations. In addition, the international community should continue to contribute actively to the reconstruction and rehabilitation of Mozambique with a view to enabling the country to build a prosperous and stable economy.

Portugal is doing its utmost for the people of Mozambique in various areas of relief assistance — health, education, training and humanitarian matters. In this regard, in 1993 my Government provided Mozambique with assistance amounting to $22 million.

Ms. Coelho da Cruz (Angola) *(interpretation from French):* I should like first to express my delegation's appreciation to the Secretary-General for his report and to Mr. Peter Hansen, the Under-Secretary-General for Humanitarian Affairs, for his statement and the information he has given us.

My delegation also associates itself with the statement of the representative of the Group of 77.

Despite the continuing difficulties over the provision of emergency relief, we note that some progress has been made. The establishment, in March 1994, of the International Emergency Readiness and Response Information System and the creation of the post of Emergency Relief Coordinator are important steps towards achieving effective action by the United Nations in this area.

On the other hand, shortage of financial resources is likely to hamper the implementation of humanitarian programmes. The state of the Central Emergency Revolving Fund, which was established by General Assembly resolution 46/182 as a financing mechanism, continues to give rise to concern. Urgent action must be taken to increase its financial base through an appeal to donor countries for additional contributions.

We also encourage the Inter-Agency Standing Committee to undertake a study of new strategies for the mobilization of resources.

Natural disasters and domestic conflict are increasing throughout the world, entailing considerable losses in human life and material damage. The signing of the Lusaka protocol on 20 November 1994 is opening up a new era in the history of my country, and will allow 3 million displaced persons to return to their homes and to resume their normal lives. However, for this operation to be crowned with success, my Government requires massive support from the international community and from all international and non-governmental organizations.

My delegation thanks all the organizations and Governments that have stood side by side with us in these most difficult times, and we launch an urgent appeal for an increase in aid at this critical juncture.

The World Conference on Natural Disasters, held last May in Yokohama, provided information for Governments concerning the dangers posed by natural disasters and the need to undertake global collective action. My delegation fully supports the Plan of Action adopted at the Conference.

Regarding the question of land mines, taking into account the fact that the de-mining process is part of the efforts to maintain and consolidate peace, my delegation wishes to reiterate that the development of the de-mining programmes being carried out in Afghanistan and Cambodia must be extended to the Republic of Angola.

The President (*interpretation from French*): In accordance with General Assembly resolutions 3237 (XXIX) of 22 November 1974 and 43/177 of 15 December 1988, I now call on the Observer of Palestine.

Mr. Shreim (Palestine) The signing of the Declaration of Principles between the Palestine Liberation Organization and Israel, on 13 September 1993 in Washington, D.C., was a turning-point in the Arab-Israeli conflict, opening the door wide for political conciliation based on justice and for the achievement of a comprehensive peace in the Middle East. This peace, however, can be strengthened and secured only when the people of the region begin to feel tangibly that their daily lives have changed for the better.

Among the most difficult circumstances now being faced by the Palestinian Authority is the lack of resources at both the human level and the financial level — resources that would enable it to reverse the damage that has been inflicted upon the Palestinian economy and Palestinian society during more than a quarter century of occupation. The long and harsh years of occupation have left us with a ruined and inadequate infrastructure, with substantial portions of our land having been confiscated for the purposes of building illegal settlements, and we have had our water and natural resources expropriated.

The Palestinian Authority, upon its establishment, has undertaken the task of steering forward the direction of a society and an economy which, as a result of the prolonged and oppressive occupation from which they are emerging, do not enjoy a normal state of being and functioning. The policies and practices of Israel, the occupying Power, have led to the marginalization of the Palestinian economy, constrained its growth and forced it into extreme dependency on the Israeli economy. That is the situation the Palestinian Authority has inherited from Israel, the occupying Power, and it has had to begin with the very basics in the building of new structures and institutions for its new infrastructure, in addition to formulating policies and programmes for implementation. It is a great task and the challenges are numerous; after so many years of suffering and sacrifice, the expectations of the Palestinian people for a better future are high.

It has been 14 months since the signing of the Declaration of Principles, and six months since the Israeli withdrawal, which took place in the Gaza Strip and the Jericho area, and the subsequent establishment of the Palestinian Authority in those areas, but the Palestinian people have yet to experience the dividends of peace. They supported the peace process, even with all its shortcomings, in the hope that this would be a first step towards the fulfilment of their inalienable rights, including the right to have their own independent State, with Jerusalem as its capital. At the same time, it was their understanding that the international community would assist them in this endeavour, as well as provide them with the chance to launch their own development plan and rebuild their society.

Unfortunately, many of the promises and pledges that have been made have yet to be fulfilled, and the Palestinian people have yet to reap the fruits of peace. As is the case all over the world, the fact remains that the cost of supporting and nurturing peace will certainly be much less than the cost of long and difficult conflicts. In our area, the Middle East, the cost of supporting peace is marginal compared to the costly era of conflict. In addition, supporting the Palestinian people at this critical stage will redress the injustices which have been inflicted upon them for almost 50 years, including the long years of occupation. Let me stress that it is very unrealistic to expect peace to prevail in the Middle East without solving the core of its conflict, the question of Palestine, in all its aspects, including the final status issues, to the satisfaction of the Palestinian people.

Immediately after the signing of the Declaration of Principles, the Conference to Support Middle East Peace was held on 1 October 1993 in Washington, D.C. At that Conference, $2.4 billion was pledged for the five years of 1994 to 1998, of which $720 million were allocated for 1994, and the task of coordinating the international aid effort through the agreed mechanisms and modalities was given to the World Bank. At this time, although we appreciate the efforts that have been made thus far by the donor community to help the Palestinian Authority, we cannot ignore the fact that little has been achieved with regard to the delivery of pledges. Moreover, we believe that continual delays in delivering the pledged assistance harms the peace process and increases the risk of failure.

We have before us a situation which is obviously unique and quite complex. In light of the circumstances, the Palestinian side is not and should not be expected to be completely ready, and we believe that the parties concerned should be more responsive to the urgent need for the rapid delivery of the assistance, without necessarily insisting, at least at the very beginning, on very strict, impractical conditions that have so far resulted in the delivery of less than 25 per cent of the money pledged for 1994. We are determined to increase our efforts and to do our part of the job, and we hope that soon we will witness different responses and different results.

We believe that the United Nations has an important role to play in this regard. Here we would like to express our appreciation to the Secretary-General for his efforts to increase the contribution of the United Nations and its agencies, including his decision to appoint a Special Coordinator in the occupied territories, which has highlighted the important role the United Nations can play in the transitional period ahead by providing the Palestinian people with greatly needed and coordinated assistance. We do appreciate the very important contributions of the agencies of the United Nations, in particular the important work done by the United Nations

Relief and Works Agency for Palestinian Refugees in the Near East (UNRWA) and the work of the United Nations Development Programme (UNDP) and the United Nations Children's Fund (UNICEF).

We also believe that the full and speedy implementation of the Declaration of Principles is imperative in order to give the Palestinian people more control in their daily lives and more control of the basic tools for economic development, such as land, water and other resources. This is also important for maintaining the confidence of the Palestinian people in the peace process and for achieving the necessary stability for investment, especially by the private sector. Furthermore, Israel should begin thinking in terms of the new situation and should terminate its detrimental policies and practices against the Palestinian people, including the dangerous policy of unilaterally closing Palestinian territory, which amounts to a collective punishment of the Palestinian people. It is noteworthy that this closing is not geographically based. It is directed against the Palestinian people, while the illegal Israeli settlers maintain their free movement.

The Palestinian Authority has many important tasks on its agenda that it must fulfil. The overall expansion and improvement of the economic and social infrastructure, which is in a state of collapse, is one of its most urgent and critical tasks. In this regard, the creation of employment opportunities in particular is among its basic priorities. This is a very serious and pressing objective in view of the very high level of unemployment, which exceeds 50 per cent in Gaza alone. Furthermore, the Palestinian Authority is determined to build a democratic society based on political plurality, modern institutions and adherence to market-economy policies. We have begun this difficult job and we are determined to finish it, overriding all obstacles, because this is the only means by which the Palestinian people can live in dignity and in freedom.

At this time, I should like officially to reiterate our deep thanks and appreciation to every donor country, specialized agency and non-governmental organization that has contributed to assisting of the Palestinian people during this critical juncture of our history, regardless of the size or timing of such contributions.

A draft resolution will be presented on assistance to the Palestinian people. Its text will be almost identical to the one adopted by consensus by the Economic and Social Council and to the resolution on this subject adopted by the General Assembly at its last session. We hope that it will be adopted by consensus at this session of the Assembly.

Let me take this opportunity also to express our support for the draft resolution presented by Norway on the financing of the police force, and also to express the hope that it will be adopted by consensus.

The President (*interpretation from French*): In accordance with the decision taken at the 58th plenary meeting, held on 17 November 1994, I now call on the Observer of Switzerland.

Mr. Manz (Switzerland) (*interpretation from French*): The experience of the past few years shows that the number and magnitude of emergency situations confronting the international community is continuing to grow. As a result, the search for solutions is becoming ever more difficult and must take into account a plethora of factors.

On the general level, Switzerland stresses that the credibility of any humanitarian commitment is closely linked to respect for two fundamental principles: neutrality and impartiality. The distinction between political action by the international community, whose ultimate goal is the re-establishment of peace, and humanitarian action must be preserved so that the independence and effectiveness of the latter can be ensured for the victims of conflicts, who have a recognized right to assistance.

On a more concrete level, the primary challenge in emergency situations remains coordination between the various players involved. Switzerland is closely following the efforts undertaken by the United Nations system to make improvements along these lines and is ready to support them. In this context, my Government welcomes the fact that the Inter-agency Standing Committee is increasingly playing its role as an instrument for priority coordination under the aegis of the Department of Humanitarian Affairs, in conformity with resolution 46/182.

With regard to coordination in the field, Switzerland is satisfied with the solution adopted — namely, to appoint humanitarian coordinators. The fact that we are basing ourselves primarily on a system of resident coordinators, as was envisaged in the initial resolution, has, to our view, several advantages, the most important being the necessary link between the emergency stage and the beginning of reconstruction.

My delegation would also like to take this opportunity to pay tribute to the commitment of all entities in the humanitarian field, both within and outside the United Nations system, and in particular to the dedication of the International Committee of the Red Cross and of a large number of non-governmental organizations. These organizations will no doubt remain essential partners of the United Nations humanitarian agencies.

The immediate commitment of the necessary financial means is a *sine qua non* for any effective action in emergency situations. Since its establishment, the Central Emergency Revolving Fund has proved its usefulness in this field. As for the way it functions, we believe that the commendable effort of the Department of Humanitarian Affairs at transparency has helped clarify certain vague points and therefore should be pursued. We are confident that appropriate solutions can be found in other areas as well, such as speeding up reimbursements by the agencies, taking into account situations forgotten by the media and the international community, and ensuring that the Fund's resources will be devoted primarily to the initial stage of an emergency situation. Switzerland is in favour of additional improvements, in particular with respect to the functioning of the Fund as such and the strengthening of the complementarity between the Fund and the agencies' special funds. On the other hand, Switzerland is divided concerning the request of the Department of Humanitarian Affairs for an increase of the Fund's capital. In any case, increasing the Fund's resources cannot in itself solve all the existing problems.

Switzerland has taken note with interest of the Argentine initiative for the establishment of a network of "white helmets" and welcomes this idea. The establishment in various countries of such a network of volunteers seems to us wise and useful. We will need to define the form in which the "white helmets" could best be associated with the efforts of the United Nations.

The international community is still confronted with the scourge of mines. It is no exaggeration to assert that the proliferation of more than 110 million land-mines is one of the most barbaric ordeals that the human race has inflicted on itself over the last few decades. To fight this scourge, Switzerland attaches great importance to universal recognition of the 1980 Convention on restrictions on the use of certain inhumane weapons, and in particular to its Protocol II. Switzerland feels that strengthening the Protocol is of fundamental significance. That is why my Government has decided to apply a moratorium on the sale of land-mines to States that have not ratified it.

A special effort must be made in the field to step up de-mining activities, as well as programmes of consciousness-raising and of medical assistance for victims. Switzerland welcomes the important work carried out by the International Committee of the Red Cross (ICRC) in this area but also wishes to emphasize the urgency of providing to the United Nations de-mining programmes with the means to meet the challenges facing them. Therefore, Switzerland will increase its contributions to United Nations de-mining programmes and related activities.

The importance of respect for human rights and international humanitarian law in conflict situations is indisputable. My delegation would like to draw the Assembly's attention to the conference of experts that the Swiss Government will be organizing next January in Geneva on the protection of victims of war. That conference will strive to identify practical means of promoting respect for and implementation of the rules of international humanitarian law. Switzerland hopes that the work of the conference will be crowned with success with the adoption of measures making it possible to improve in concrete ways the plight of the victims of armed conflict.

The President (*interpretation from French*): We have heard the last speaker on agenda item 37 and its sub-items (a), (b), (c), (d), (f) and (g).

I wish to inform members that the Assembly will take decisions on the draft resolutions under agenda item 37 and its sub-items at a later date to be announced in the *Journal*.

In this regard, I wish to remind representatives once again that the first meeting of the coordinator of informal consultations on this agenda item will be held today at 3 p.m. in Conference Room 8.

In addition, I wish to inform members that the Assembly will consider sub-item (e), entitled "Emergency international assistance for peace, normalcy and reconstruction of war-stricken Afghanistan" at a later date to be announced in the *Journal*.

Agenda item 16 (*continued*)

Elections to fill vacancies in subsidiary organs and other elections

(c) Election of seventeen members of the United Nations Commission on International Trade Law

The President (*interpretation from French*): The General Assembly will now turn to the election of seventeen members of the United Nations Commission on International Trade Law to replace those members whose term of office expires on 1 May 1995.

The seventeen outgoing members are Bulgaria, Cameroon, Canada, China, Costa Rica, Denmark, Egypt, France, Germany, Japan, Mexico, Morocco, Nigeria, the Russian Federation, Singapore, Togo and the United Kingdom of Great Britain and Northern Ireland. Those members are eligible for immediate re-election.

I should like to remind members that, as of 2 May 1995, the following States will continue to be represented on the Commission: Argentina, Austria, Chile, Ecuador, Hungary, India, Islamic Republic of Iran, Italy, Kenya, Poland, Saudi Arabia, Slovakia, Spain, Sudan, Thailand, Uganda, the United Republic of Tanzania, the United States of America and Uruguay. Therefore, those 19 States are not eligible.

In accordance with rule 92 of the rules of procedure, the election will be held by secret ballot and there will be no nominations.

However, I wish to recall paragraph 16 of General Assembly decision 34/401, whereby the practice of dispensing with the secret ballot for elections to subsidiary organs when the number of candidates corresponds to the number of seats to be filled should become standard, unless a delegation specifically requests a vote on a given election.

In the absence of such a request, may I take it that the Assembly decides to proceed to the election on that basis?

It was so decided.

The President (*interpretation from French*): I shall now read out the names of the candidates endorsed by the regional groups.

For the five seats allocated to the African States, they are Algeria, Botswana, Cameroon, Egypt and Nigeria.

For the three seats allocated to the Asian States, they are China, Japan and Singapore.

For the two seats allocated to the Latin American and Caribbean States, they are Brazil and Mexico.

For the five seats allocated to the Western European and other States, they are Australia, Finland, France, Germany and the United Kingdom of Great Britain and Northern Ireland.

Since the number of candidates endorsed by the African States, the Asian States, the Latin American and Caribbean States and the Western European and other States corresponds to the number of seats to be allocated to each region, I declare those candidates elected for a six-year term beginning on 2 May 1995.

With regard to the two seats from among the Eastern European States, I call on the representative of Georgia, as Chairman of the Group of Eastern European States.

Mr. Chkheidze (Georgia): In my capacity as Chairman of the Group of Eastern European States for the month of November, I have the honour to inform members of the General Assembly that there are three candidates from the Eastern European Group for two seats in the United Nations Commission on International Trade Law: Bulgaria, the Russian Federation and Ukraine.

The President (*interpretation from French*): For the Eastern European States, the number of candidates exceeds the number of vacancies allocated to that region. Therefore, the Assembly will now proceed to a vote by secret ballot to elect two members from the Eastern European States.

I should like to inform the Assembly that the number of candidates not exceeding the number of seats to be filled, receiving the greatest number of votes and not less than the majority required, will be declared elected. In the case of a tie vote for a remaining seat, there will be a restricted ballot limited to those candidates which have obtained an equal number of votes.

May I take it that the General Assembly agrees to that procedure?

It was so decided.

The President (*interpretation from French*): Ballot papers marked "C" will now be distributed.

I request representatives to use only those ballot papers and to write on them the names of the two States from among the Eastern European States for which they wish to vote.

A ballot paper containing more than two names will be declared invalid. Names on a ballot paper of Member States which are outside the region shall not be counted at all.

At the invitation of the President, Mr. Fanucchi (Argentina), Mr. van de Craen (Belgium) and Mr. Bahaitham (Saudi Arabia) acted as tellers.

A vote was taken by secret ballot.

The meeting was suspended at 11.25 a.m. and resumed at 11.55 a.m.

The President (*interpretation from French*): The result of the voting is as follows:

Number of ballot paper:	148
Number of invalid ballots:	0
Number of valid ballots:	148
Abstentions:	2
Number of Members voting:	146
Required majority:	74
Number of votes obtained:	
Russian Federation	109
Bulgaria	94
Ukraine	84

Bulgaria and the Russian Federation, having obtained the required majority, were elected members of the United Nations Commission on International Trade Law for a six-year term beginning on 2 May 1995.

The President (*interpretation from French*): The following 17 States are therefore elected members of the United Nations Commission on International Trade Law for a six-year term beginning on 2 May 1995: Algeria, Australia, Botswana, Brazil, Bulgaria, Cameroon, China, Egypt, Finland, France, Germany, Japan, Mexico, Nigeria, the Russian Federation, Singapore and the United Kingdom of Great Britain and Northern Ireland.

I congratulate the States which have been elected members of the United Nations Commission on International Trade Law and I thank the tellers for their assistance in this election.

This concludes our consideration of agenda item 16 (c).

Agenda item 34

The situation of democracy and human rights in Haiti

Report of the Secretary-General (A/49/689)

Draft resolution (A/49/L.40)

The President (*interpretation from French*): I call on the representative of Peru to introduce draft resolution A/49/L.40.

Mr. Guillen (Peru) (*interpretation from Spanish*): I have the honour to introduce to the General Assembly for its consideration a draft resolution entitled "The situation of democracy and human rights in Haiti", contained in document A/49/L.40. I do so in my capacity as Chairman of the Latin American and Caribbean Group of States, which is a sponsor of the draft resolution. We hope that it will be adopted without a vote. We wish to thank most sincerely those countries that have now offered to join in sponsoring it.

The draft resolution before the Assembly this morning is the first to reaffirm support for Haiti following the return of President Aristide to his country through the efforts of the United Nations. In the preambular part of the draft resolution the Assembly would stress the need for the international community to continue its support for technical, economic and financial cooperation with Haiti. It would welcome the return of President Aristide to his country and take note of the report of the Secretary-General contained in document A/49/689 of 23 November 1994, in particular his recommendations with regard to the mandate of the International Civilian Mission in Haiti.

In its operative part the draft resolution expresses appreciation to all States which have accompanied the Haitian people in their efforts to return to a constitutional order and democracy; welcomes the appointment of the new Special Representative of the Secretary-General; and commends the cooperation between the Secretaries-General of the United Nations and the Organization of American States. It also requests the immediate return to Haiti of all members of the International Civilian Mission in Haiti and urges the international community and governmental and non-governmental organizations to increase their technical, economic and financial

cooperation with Haiti in support of its economic and social development efforts and in order to strengthen Haitian democratic institutions.

Lastly, the draft resolution requests the Secretary-General to continue supporting the efforts of the Government of Haiti for national reconstruction and the establishment of a lasting democracy and full respect for human rights. It also requests him to ensure the coordination of the efforts of the United Nations system towards an appropriate response to Haiti's humanitarian aid needs and development requirements.

The President (*interpretation from French*): I should like to propose that the list of speakers in the debate on this item be closed in half an hour.

It was so decided.

The President (*interpretation from French*): I therefore request representatives wishing to participate in the debate to inscribe their names on the list as soon as possible.

Mrs. Werleigh (Haiti)(*interpretation from French*): After three long years of military dictatorship, marked by bloody repression that claimed more than 7,000 victims among the Haitian population in the cities and the countryside, democratic life resumed in Haiti on 15 October 1994 with the return of President Jean-Bertrand Aristide. That event, whose significance and unique nature galvanized the media of the entire world, represents both a victory and a challenge. It is the victory of all genuine democrats, who joined forces to stop impostors and usurpers; the victory of all justice-loving and freedom-loving Governments, which always supported the legitimate Government of President Jean-Bertrand Aristide; the victory of organizations governing international democratic life, which firmly and totally rejected the whims of those who master-minded the *coup d'état;* and the victory of the Haitian people, who never succumbed to the putschists, despite all the atrocities to which they were subjected.

In this connection, on behalf of the people and Government of Haiti, I should like to pay tribute to the farsightedness and determination of the General Assembly, which, from the earliest days of the *coup d'état* of 30 September 1991, managed to find effective institutional machinery to make the restoration of democracy and the return of President Jean-Bertrand Aristide to Haiti inevitable.

Indeed, resolution 46/7 of 11 October 1991, in which the General Assembly declared unacceptable any entity resulting from the *coup d'état* and demanded the restoration of the legitimate Government of President Aristide, put a brake on the claims of those who had usurped power. To be sure, they made efforts to move forward, and each time they came up against the same obstacles: total rejection and treatment as pariahs.

The issue was included on the agenda of the General Assembly each year so that progress could be assessed. Each year the item came before the Assembly again, the same in letter and in spirit, and treated with the same firmness and with the same goals: the restoration of democracy and the return of the elected President, Jean-Bertrand Aristide.

Allow me to thank all members of the Assembly and to express our gratitude for their intense interest. I say to them "Your attitude, along with the firm will of the Haitian people and its friends, has yielded the hoped for results — the restoration of the democratic process in Haiti."

Since 15 October 1994 a new ray of hope, brightened by solidarity, has appeared on the country's horizon. The longed for and hoped for peace is within reach. Yet to move from the present situation to the one we would like to see entails genuine challenges which we, as the Government in power, must meet.

The first challenge is political. The *coup d'état* had the effect of polarizing Haitian society. It is now up to us to put the broken pieces back together by giving the highest priority to collective well-being. That is why we seek reconciliation and peace.

All our actions have been planned to that end. The formation of the new Government bears witness to this. The various tendencies in the democratic sector are represented in it. Our purpose is also attested to by the broad consultations undertaken to establish an Electoral Council entrusted with carrying out the forthcoming legislative and municipal elections.

In the meantime, public freedoms have been fully restored. In keeping with the provisions of the Constitution, the Government has decreed the abolition of the Corps of Section Chiefs, the backbone of repression in the interior.

Next there is the social challenge. Over the past two centuries Haitian society has created flagrant social inequalities that persist today and that are repugnant to the human conscience. An infinitesimally small minority of privileged people control over 85 per cent of the country's wealth, while the majority of the population is clearly living below the poverty threshold and growing poorer day by day. We must set up the basic structures to ensure, very quickly, that the basic needs of all are satisfied, and we must gradually rectify the clear, universally recognized inequities.

We also face an environmental challenge. The country is at the brink of an abyss, its vegetation cover reduced to less than 3 per cent. Hurricane Gordon recently revealed the fragility of our natural environment. An appeal has been made to all men and women of goodwill to halt ecological deterioration. With each torrential rain or tropical hurricane, more arable land is washed into the sea. When arable land goes elsewhere, it is only natural that men should also leave. Let us keep hold of and replenish our land and reforest our country, and we shall then see its sons and daughters return to live in it. That is the profound significance of the huge national reforestation campaign to be undertaken by the Government.

With regard to the question of economic challenge, the *coup d'état* of 30 September 1991 had a considerable effect on the already-shaky economy of Haiti. Smuggling became a national matter; prices climbed day by day; the national currency was being devalued before our eyes, and banknotes were issued according to the whim of the de facto authorities; unemployment is in full swing; and the accumulation of wealth by illegal means is becoming the norm.

Today we are involved in getting the Haitian economy back on its feet by restoring the confidence of all — workers, trade unions, national and international investors and international financial institutions — by promoting labour-intensive employment, aiming for the provision of training at all levels and developing the spirit of enterprise.

I should like to refer to the progress that has been made since the return of President Jean-Bertrand Aristide on 15 October 1994. The President's return took place under the banner of peace, reconciliation and reconstruction. In all these areas, important landmarks have already been established. These demonstrate beyond any question the Government's unshakeable will to establish a state of law in Haiti. Peace on the streets and in people's hearts, is returning to what it was during the first seven months of the exercise of power in 1991. Night life is resuming.

However, there is still a long way to go. There are still pockets of resistance, in places where there is a significant stockpile of deadly weapons. Complete disarmament must be achieved as quickly as possible. The dismantling of stockpiles of weapons will restore the security that is indispensable to collective well-being and to the development of business, so important from the point of view of the impending elections. It is time for weapons to fall silent for ever so that those men and women who have so much to say about the future of Haiti may speak. We call upon the international community in general and, in particular, on the members of the Multinational Force, which are taking part in the process of restoring democracy in Haiti, to make this an absolute priority.

Clearly, large-scale initiatives have been undertaken — notably, the restructuring of the Haitian armed forces; progress, at the legislative level, on the adoption of the law that separates the police from the army; the gradual establishment of the new police force; the dissolution of the corps of heads of section; and the seizing of certain stockpiles of arms.

The Haitian Government is working day and night to restore the judicial system so that every man and woman may be guaranteed access to genuine justice. To this end, we need to reconstruct our courts of justice and undertake the training or retraining of our judges. Our legislation must be updated to reflect the new realities and to correct the intrinsic, age-old flaws in the existing system.

Following the three years of the *coup d'état*, the Haitian people have legitimate claims, especially in the area of justice. We have a duty to meet such claims. In this context, the Haitian Government intends, with the cooperation of international bodies dedicated to the defence and advancement of human rights, to establish a truth commission, whose mandate will be to investigate violations of human rights during the past three years. If reconciliation is to be cemented and made effective, justice must be rendered to those to whom it is due.

In this area, we intend to take advantage of the experience acquired by certain countries in the region that have had to initiate a similar process to extricate themselves, without violence or vengeance, from deep

crises that have torn their societies apart. This is the price of peace; this is the price of reconstructing the country; this is the price of the country's future. Democracy will be strengthened as a result.

We realize that, in terms of strengthening democracy and the state of law in Haiti, we must take significant action to begin real and genuine development in the country. This is the time for action. The Haitian population, which suffered terribly during the period of the *coup*, is waiting impatiently for concrete manifestations of the economic recovery that will enable it to satisfy its fundamental needs; build a better future for itself — for the family, the community and the country; increase the resources at its disposal; take in hand its destiny as a people; change, once and for all, the image of the country in terms of its various elements; and transform Haitian society.

We intend to undertake a significant and definitive change of course that will leave its mark in the annals of history. Clearly, we cannot do this alone. We need the international community and bodies such as the United Nations to support us by accompanying us as they have done during the past three years.

We cannot conclude without touching on a subject that is of the greatest importance to us — the question of refugees. Never before in our history as a people have we witnessed such a vast exodus of our compatriots. More than 100,000 people have left the country. Fleeing the repression initiated by the military dictatorship, they preferred taking the risk of death at sea to remaining in the country, which, as members of this Assembly know, had become a living hell. The countries accepting the greatest numbers of refugees were the United States, the Dominican Republic and the Bahamas.

However, since President Jean-Bertrand Aristide's return to power no case of exodus has been noted, and we should like to declare that during the first seven months, in 1991, of the Government of President Aristide we did not witness any such phenomenon — in fact, quite the opposite. We intend to see to it that the country's migratory flow is again reversed.

If political stability can guarantee that our compatriots will not leave, it will also mean the return of those who were forced to leave. If the process is not rigorously controlled, a mass return of refugees could become a source of instability for the Government. Following the three terrible years that we have experienced, that is something that we do not need. Thus, return, whether undertaken voluntarily or imposed by the Governments of those countries in which our compatriots are living, must be planned and carried out in accordance with the rules.

The Government of Haiti, aware of this problem and concerned that it should be resolved, has already drawn up a repatriation plan, which includes provision for a monthly quota of gradually returning refugees, with variations from region to region according to the facilities available. This plan will have to be discussed with the countries involved as soon as possible, as some of these have already expressed to us their wish to proceed with repatriation.

This plan proposes to the Governments involved a timetable for repatriation. It also includes a programme for the reintegration of these compatriots in their original homes. This will require the creation of jobs, credit for production, the construction of housing, subsidies for the school enrolment of children, medical assistance and so on.

The implementation of such a plan will be based on the real capacity of the Government in terms of its economic and financial possibilities on the one hand and on the degree of openness and understanding of our partners on the other.

The devastated and ravaged economy that we have inherited after these three years of military rule do not allow us to guarantee the implementation of the plan without firm support from the international community. In this context, the release of the funds promised by friendly countries is an imperative need.

The reintegration of refugees in Haiti is a large-scale project that affects health, education, agriculture, training and many other areas. We intend to manage it effectively and diligently, and we are counting on the solidarity of all those countries that share with us the objective of the restoration of democracy and the establishment of a state of law in Haiti.

Mr. Martinez Blanco (Honduras) *(interpretation from Spanish)*: Mr. President, I should like to reiterate to you, on behalf of the Central American States of Costa Rica, El Salvador, Guatemala, Nicaragua, Panama and Honduras, how pleased we are to see you presiding over the proceedings of the General Assembly at its forty-ninth session, as well as our commitment to work with you in your delicate tasks.

The Central American States I have the honour to represent join with the international community and the people of Haiti to hail the return of President Jean-Bertrand Aristide and the restoration of institutional and democratic order. That is why we give our full support to the draft resolution introduced by the Permanent Representative of Peru in his capacity as Chairman of the Group of Latin American and Caribbean States.

The peaceful deployment of the multinational force in Haiti, under the aegis of the United Nations and in accordance with Security Council 940 (1994) of 31 July 1994, created the necessary conditions for the return of President Aristide to Haitian territory. The multinational forces established the climate of confidence necessary for the people of Haiti to

> "begin to rebuild their country with dignity and consolidate democracy in a spirit of national reconciliation",

as stipulated in paragraph 1 of resolution 948 (1994), adopted by the Security Council at its meeting of 15 October last.

Similarly, Central America notes with satisfaction the considerable progress made in restoring democracy in Haiti. The reopening of the parliament; the adoption in the Chamber of Deputies and the Senate of an amnesty bill for those who seized power by a coup d'état in 1991; the reinstatement of the legitimate Mayor of Port-au-Prince; the restoration of communications and information systems to legitimate use; and the reopening of the airport to international flights — all are positive events that significantly contribute to the return of normality in Haiti.

Central America appreciates and, indeed, pays a special tribute to the personnel of States participating in the multinational forces. Their work in controlling arms on Haitian territory, the increase in the number of international police monitors, the establishment of a provisional public safety force and the work to organize the Haitian armed forces as an apolitical, non-partisan entity under the authority of the executive branch — all are key factors in the creation of a safe and stable environment guaranteeing the transfer of power to the legitimately elected leaders and the implementation of the relevant Security Council resolutions and the provisions of the Governors Island Agreements.

The Central American countries supported the peaceful settlement of the conflict from the beginning; they also supported the imposition of sanctions by the United Nations against the de facto authorities. In their Declaration on Haiti of 23 July 1994, the Presidents of the Central American countries, convinced that active solidarity in the region was necessary in view of the breakdown of constitutional order and the violation of human rights in Haiti, reaffirmed the Declaration of Panama in support of the restoration of democratic institutions in that country, as well as the Agenda of Guatemala, in which we reiterate our full support for the resolutions adopted by the Security Council as well as by the ad hoc Meeting on Haiti of the Foreign Ministers of the Organization of American States (OAS).

Similarly, at that time, heeding the appeal addressed by the United Nations to the international community to increase humanitarian assistance to the Haitian people, the Central American Presidents stated that they intended to provide temporary asylum for Haitian refugees.

Similarly, Central America acknowledges that the return of President Aristide to his country would not have been possible without close cooperation between this world body and the inter-American regional organization, the OAS, in particular, the joint operations of the OAS/United Nations International Civilian Mission to Haiti (MICIVIH). In this connection, we wish to thank the Secretary-General for his report to the General Assembly in document A/49/689 dated 23 November 1994 on recent activities carried out by that Mission with a view to monitoring the human rights situation in Haiti and restoring and strengthening its democratic institutions.

The return of President Aristide to power is simply the first step in a long journey towards ensuring an honest Government and a decent life for the Haitian people. Restoring President Aristide to power is one thing; bringing prosperity to Haiti is another. The social and economic crisis in all its dimensions still persist in this fraternal country: low per capita income, short life expectancy, the highest mortality rates in the hemisphere, malnutrition, disease, deforestation and the erosion of arable land.

Over the past three years, this sombre picture had become even darker. The *coup d'état* of September 1991 had certainly been a setback for the emerging Haitian democratic system. However, the de facto authorities' refusal to comply with the provisions of the Governors Island Agreement had resulted in the imposition by the United Nations of new economic sanctions, making life

even harder for the long-suffering Haitian people. The military dictatorship's repression of the people and the impact of the embargo undermined the already weak socio-economic structure of Haiti.

Central America calls upon the international community and the countries of the hemisphere that helped safeguard democracy in Haiti to replace military cooperation by economic cooperation and thereby provide Haiti with massive international assistance. For there can be no peace or democracy without development, and the rebuilding of Haiti largely will depend upon international support.

The Central American States believe that, unless Haiti's severe socio-economic and ecological problems are effectively solved by the firm determination of its people and Government and by international assistance, its already precarious situation will dramatically worsen.

The States that founded the United Nations clearly set out in the Charter the principle of collective security. In recent years this principle seems to have evolved towards the idea of comprehensive security — that is, security that is multidimensional and requires that attention be paid not only to political and diplomatic disputes but also to factors such as economic underdevelopment and situations involving, for instance, human rights violations.

The many references in the Charter of the United Nations to international peace and security must be taken literally, and in particular the reference in Article 99, which enables the Secretary-General to bring to the attention of the Security Council

> "any matter which in his opinion may threaten the maintenance of international peace and security".

The concept that security is as applicable to the protection of individuals as it is to the defence of the territorial integrity of States must be further developed. Strengthening human security means protection of fundamental human rights by the international community, bearing in mind that the most essential right of all — the right to life — is frequently and grossly violated in internal conflicts.

Faith in fundamental rights is addressed in the preamble to the Charter, and the specific responsibility of the Organization and its Members to promote and observe human rights is set out in Articles 55 and 56. The General Assembly is given a broad mandate in Article 10 to discuss and make recommendations on this matter. Nothing in Chapters V, VI or VII of the Charter explicitly excludes human rights from the broad concept of security.

Peace-building is a long-term preventive strategy that addresses the potential causes of insecurity — a strategy aimed at well-balanced economic development, the promotion of human rights as broadly defined, and the preparation of the ground for good governance.

We Central Americans believe that these goals should be achieved by all States, not only for their own good but because progress towards the achievement of the goals contributes greatly to national and international security. Policies that secure economic development and justice, promote the rule of law, protect individual rights and encourage the establishment of democratic institutions are also policies of security.

Mr. Ardhaoui (Tunisia), Vice-President, took the Chair.

I shall conclude this statement by quoting from the report of the Secretary-General of the United Nations entitled, "An Agenda for Peace":

> "a conviction has grown, among nations large and small, that an opportunity has been regained to achieve the great objectives of the Charter — a United Nations capable of maintaining international peace and security, of securing justice and human rights and of promoting, in the words of the Charter, 'social progress and better standards of life in larger freedom'". *(A/47/277, para. 3)*

Mr. Aljure (Colombia) (*interpretation from Spanish*): I take this opportunity to express again my Government's condolences on the great human and material losses suffered by Haiti and other countries of the region as a result of Hurricane "Gordon". Furthermore, Colombia shares the Haitian nation's joy as it once again takes the road of democracy and peace after years of oppression and suffering.

Restoring respect for the constitution and the law, restoring legitimate authority and, above all, restoring the Haitian people's right freely to choose its destiny are extraordinary achievements. While some reservations have been expressed on various aspects of the intervention and what was done finally to achieve it, there is widespread rejoicing that democracy has returned to Haiti. In addition, the return to power of the legitimate

authorities took place without bloodshed, to the satisfaction of the broad majority of the Haitian people.

We must not, however, forget that these important achievements followed a lengthy stage of social and economic debilitation that had been superimposed, like heavy baggage, on the oblivion to which that fraternal country had been relegated for more than a century. It is clear that the major responsibility for this institutional regression and the increasingly acute crisis must be borne by those who usurped power, flouted rights and freedom and sowed terror and violence. But it must be recognized that the very act of intervention, supported as it was by the broad majority of States and carried out in principle in agreement with the legitimate authorities, has placed upon the United Nations moral and political responsibilities to the Haitian nation. This is not merely a question of the solidarity aroused when a Member State finds itself in critical circumstances; rather, it is the logical response that the Organization must make to a situation that, to some degree, it caused and that could determine that nation's fate for years to come. In addition, some specific aspects of the crisis in Haiti, such as the deterioration of the physical infrastructure and the dismantling of the productive apparatus, are at least in part a result of the harsh and prolonged trade embargo imposed on that country by mandate of the United Nations itself.

Our agenda calls for the restoration of democracy and full respect for human rights in Haiti. As is made clear in the very detailed report of the Special Rapporteur of the Commission on Human Rights, in document A/49/513, in the first few months of 1994 respect for human rights had severely deteriorated and there was no longer even a vestige of democratic life. It is obvious that with the restoration of legitimate authority the picture changed radically. The most serious violations of human rights and civil guarantees have now disappeared, and the foundation for the restoration of democratic life has been laid.

None the less, the situation is extremely fragile. The very fact that the positive changes have taken place through military action raises questions about the future. The dismantling of the repressive apparatus of security forces and paramilitary groups has created conditions that are necessary but insufficient to guarantee full respect for human rights. In fact, those very purges suggest the need for other, special actions in this sphere, relating to the guarantees that must be provided for all Haitians without exception, in view of the still precarious situation of the Haitian judicial system.

Concerted efforts are needed in many other spheres in order to make headway in securing human rights and consolidating the democratic process. For example, the achievement of these goals depends on the parallel achievement of high rates of economic development in conditions of social justice and equity, so that the age-old deficiencies in the generation and distribution of wealth in Haiti can be properly attacked and so that conditions for productive employment and a propitious climate for social integration can be created.

Our delegation fully agrees with the many statements of the United Nations and the Group of Latin American and Caribbean States on the indivisibility of human rights, particularly the recent statement by the High Commissioner for Human Rights in his report to the General Assembly in document A/49/36. While this does not mean that the grave abuses of human rights committed during the years of dictatorship should be condoned, in the case of Haiti it must be acknowledged that the enjoyment of civil and political rights and the attainment of minimal social, economic and cultural rights are interrelated. The collective attainment of the right to development is particularly relevant, for it is the foundation for building a solid Haitian democracy and it helps in the establishment of a climate conducive to the exercise of all human rights.

In this context, the development strategies that the legitimate authorities and the people of Haiti autonomously choose must be supported by the United Nations — particularly its human rights bodies — as well as other international organizations and the multilateral development bank. This is also an area where various bilateral or regional associations to ensure mutual cooperation should be established, in conditions that are not burdensome for Haiti and that preserve its sovereignty and its capacity for self-determination.

The restitution of public power and the proper functioning of its instruments — especially those of judicial power, civil security and local administrations — are some other elements that are fundamental to the creation of appropriate conditions for respect for human rights and the securing of democracy. The Haitian people and its authorities will have to take autonomous decisions on those elements, decisions that should not discourage the assistance of friendly countries or even the United Nations.

The key component of this whole process is the preservation of the decision-making capacity of the

Haitian people and the authorities set up in accordance with the Constitution and the laws of the country. To that end all kinds of intervention must be terminated as soon as possible. In order to achieve that, we must implement the programme envisaging the replacement of the multinational force by the United Nations Mission in Haiti (UNMIH). The International Civilian Mission (MICIVIH), of which the Organization of American States (OAS) forms part, should be involved in the transition process. All of this must be done on condition that the Haitian authorities and people want it done.

We have taken careful note of the interesting suggestions that can be found in the reports of the Secretary-General, the High Commissioner for Human Rights and the Special Rapporteur regarding the immediate steps that must be taken to ensure that progress made by Haiti in spheres addressed by this agenda take on their own momentum.

But we also think that the recommendations contained in the report of the Joint Mission for Haiti of the United Nations and the Organization of American States would be a good point of departure for guiding international cooperation for the development of Haiti, which is so relevant to the situation of democracy and human rights in that country. That Mission was headed by the United Nations Development Programme (UNDP), and representatives of the then-in-exile legitimate Government and various international agencies took an active part in it. Its recommendations are contained in an October 1993 document entitled "Emergency economic recovery programme". An updated version of that document will be distributed soon, but the version available is still current in many respects.

It is agreed that our collaboration with Haiti has an urgent component, which in the study to which I have just referred is called an emergency economic recovery programme. In it, immediate actions are proposed to mitigate the sharp deterioration of the economy and of social conditions. In order to do so, one starts from the premise that Haiti's future political stability is linked to the successful beginning of the reconstruction process. This emergency programme would be complemented, and in the end replaced, by medium-term programmes for economic stabilization and growth. The study takes into consideration, *inter alia*, the appropriate institutional framework and the need to bear in mind social components.

Whatever the strategy finally adopted, the necessity and obligation of international assistance must be made compatible with respect for Haiti's sovereignty and recognition of its people's dignity and capacity for self-government and the autonomy of its legitimate representatives. All signs indicate that the situation cannot remain as it is and that considerable progress must have been made in the process of institutional reconstruction and economic and social recovery by the time the important democratic decisions foreseen for the near future are taken.

Haiti has suffered an enormous tragedy. After a century of suffering, that brotherly country cries out for international solidarity. The United Nations has before it an unshirkable responsibility. Fortunately, the Haitian people has resolutely expressed its desire for democracy and respect for human rights. We have a historic opportunity to turn that desire into a reality so that that country and that people, which have such a glorious past, can finally enjoy an era of well-being and prosperity.

Mrs. des Iles (Trinidad and Tobago): I have the honour to speak on behalf of the 12 States of the Caribbean Community (CARICOM) which are members of the United Nations: Antigua and Barbuda, the Bahamas, Barbados, Belize, Dominica, Grenada, Guyana, Jamaica, Saint Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines and my own country, Trinidad and Tobago. The Republic of Suriname also joins in this statement on the situation of democracy and human rights in Haiti.

The Caribbean Community and Suriname share the joy of the Haitian people at the return to Haiti of President Jean-Bertrand Aristide on 15 October 1994, which signalled the restoration of democratic rule and the end to a reign of terror in that nation. Against all odds, President Aristide persevered, confident in the support of his people, and he has been vindicated.

The scenes of thousands of Haitians rejoicing in the streets throughout the country upon the return of their President represent a clear indictment of the military regime, which terrorized the Haitian people during the three years following the September 1991 overthrow of the democratically elected Government.

The Governments and the peoples of the Caribbean Community and Suriname wish to pay tribute to the thousands of Haitians who have made the ultimate sacrifice in their quest for peace, justice and democracy

in their beloved nation and to the thousands of others who continue to bear the physical and emotional scars of repression and deprivation.

The atrocities committed by the Haitian military and their collaborators over the last three years are well documented in United Nations and other publications. The 1994 report of the United Nations Special Rapporteur on the situation of human rights in Haiti catalogues their most recent acts — acts which have even surpassed the horrors of the Duvalier period and the years prior to the December 1990 elections. As the advent of the return of President Aristide and democratic rule appeared more and more inevitable, the Haitian people became victims of ever-increasing incidents of torture, summary executions and wanton brutality.

We are, therefore, all the more moved by the restraint now being shown by the Haitian people who have suffered for decades under successive repressive regimes and for whom the dream of freedom and democracy was temporarily and forcefully shelved in September 1991. It is a tribute to the Haitian spirit that individuals who have been guilty of the worst kind of brutality over a period of years have been turned over, together with their weapons, to the multinational force. Through these acts and their ready acceptance of the current role of the multinational force, the United Nations and the Organization of American States in Haiti, the Haitian people have spoken unequivocally for peace, national reconciliation and reconstruction.

The members of the Caribbean Community and Suriname are pleased to have been able to contribute, within the limits of our resources, to the dawn of a new day in the sister Republic of Haiti. As the United Nations continues to play an increasingly activist role in promoting peace, development and democracy throughout the world, all States, including small States, can and should play their part in furthering the goals of the Organization. In the case of Haiti, with whom we have historical and cultural ties, CARICOM States and Suriname have been consistent in our efforts to alleviate the suffering of the Haitian people and to promote democracy and the restoration of constitutional rule in that country.

Earlier this year, as tens of thousands of Haitians desperately sought to flee the growing repression in their homeland and braved the treacherous journey across the Caribbean Sea in unsafe vessels, States members of CARICOM and Suriname provided temporary refuge to women, men and children. From its inception, CARICOM nationals have played leading and supportive roles in the International Civilian Mission in Haiti to assist in the promotion and protection of the human rights of the Haitian people.

We have also participated in the monitoring of the Haitian/Dominican Republic border during the period of comprehensive sanctions against Haiti. More recently, CARICOM States have joined others in the multinational force, mandated by Security Council resolution 940 of 31 July 1994, in the effort to establish a stable and secure environment in Haiti following the welcome departure of the military leadership in October of this year.

As a manifestation of the continuing commitment of the States members of CARICOM and Suriname to peace, political stability and democracy in Haiti, we will contribute military and police forces to the United Nations Mission in Haiti (UNMIH) when it is deployed. For most of us, this will represent the first time that we will be participating in a United Nations peace-keeping mission.

With the significant progress of the multinational force in implementing Security Council resolution 940 (1994), United Nations involvement in Haiti is emerging as one of the success stories of this Organization and as an example of the importance of fostering closer ties with regional organizations.

The United Nations active engagement in developments in Haiti, since its contribution to the successful holding of the historic elections in 1990 and culminating in the triumphant return of President Aristide, attests to its commitment and that of its membership to the cause of peace, justice and development in Haiti, a founding Member of the Organization.

CARICOM States and Suriname implore the international community to heed the caution expressed by the Secretary-General of the United Nations in his 1994 report on the work of the organization, as he addressed the problems of crises around the world. He stated that

> "In some instances, a nation has successfully emerged from a crisis only to lose the attention of the international community. This represents a dangerous trend." (A/49/1, para. 325).

Haiti, the Latin American and Caribbean region and the international community can ill afford the

consequences of an abrupt and premature disengagement from developments in Haiti. Moreover, the United Nations itself can hardly endure such a blow to its credibility and its new proactive and supportive role in the pursuit of peace, democracy and development.

For Haiti the road ahead is fraught with formidable obstacles and challenges. The grim reality of political instability and social and economic privation, in this the poorest nation in the Western hemisphere, was further exacerbated following the *coup d'etat* of September 1991. Deterioration of the already weak economy of Haiti was compounded by the suspension by donor countries of development programmes, the effects of progressively severe sanctions and increasing isolation. Given the desire of the international community to overcome the political crisis, only the most vulnerable of Haitians received limited humanitarian assistance during that period. Unemployment is reported to have risen to approximately 70 per cent, poverty and hunger became more widespread and the health and other social services deteriorated markedly.

Haiti, like the other vulnerable islands of the Caribbean, is also highly susceptible to the vagaries of natural disasters and environmental degradation. As pointed out by the Secretary-General in his 1994 report on a development strategy for small island developing States, large-scale disasters are not restricted to such entities, but natural disasters are a particular problem in those countries because the effects are pervasive and often totally devastating. Two weeks ago, we were all reminded of the fragility of the environment and the economic and social infrastructures of Haiti when tropical storm "Gordon" wrought devastation on that nation. That storm resulted in more than 400 deaths and approximately 15,000 of the 55,000 families affected by the storm were rendered homeless.

We in the Caribbean Community and Suriname extend our heartfelt condolences to the Government and the people of Haiti and particularly to the many families who have endured such a great loss. We are heartened by the speedy response of the United Nations and the international community to this recent tragedy in Haiti. We also commend the efforts of the United Nations, which has been working closely with the Haitian Government, international and regional financial and development institutions, and the multinational force, to bring relief to the many victims and to restore affected areas of the country to some semblance of normalcy.

There is a growing consensus among nations and within multinational organizations and institutions that, in post-conflict situations, the medium- and long-term development objectives of the affected States should be addressed, in addition to their short-term emergency requirements. Particularly at this time of rising expectations among the population, Haiti is now in dire need of international assistance, without which peace, political stability and sustainable social and economic development will remain unattainable goals.

We, therefore, support the proposed activities of the United Nations Development Programme, which involve assistance in the strengthening of Haiti's democratic institutions and its electoral and judicial systems, the revitalization of the economy, environmental rehabilitation, the tackling of numerous social problems and the continued provision of humanitarian assistance.

We likewise support fully the Secretary-General's recommendation in his recent report on the situation of democracy and human rights in Haiti that the mandate of the International Civilian Mission to Haiti be expanded to take into account new developments and needs, thereby maintaining its high level of effectiveness.

Increased effectiveness of the small advance team of the United Nations Mission in Haiti now deployed in that country is also crucial to the success of United Nations operations in Haiti. CARICOM States and Suriname therefore support the call of the Secretary-General to increase the size of this team up to 500, in order to facilitate the laying of the proper groundwork for the successful deployment of the United Nations Mission in Haiti in the not too distant future.

In this the tenth year of the establishment of formal relations between Haiti and the Caribbean Community, we wish to reiterate our continued commitment to the goal of involving Haiti to a greater extent in the programmes and activities of the subregional body and its various mechanisms. Haiti's integration in hemispheric affairs will also be strengthened by its recent signing of the Convention establishing the Association of Caribbean States.

As the international community joins forces with the democratically elected Government of Haiti in its task of nation-building, the time has come for all Haitians, including the poor, who have long been excluded from active involvement in the economic, social and political life of the society, to be afforded the opportunity to

participate fully in the process of strengthening and reforming the nation's political structures and promoting economic and social development. It is only through true partnership that the vision of a new Haiti will be realized, a new Haiti in which the institutions of society are at the service of all Haitians, with equity and with justice.

Mr. Owada (Japan): When we gathered here last year to consider the situation in Haiti, the mood was one of discouragement, if not despair. Thus it is with great pleasure and relief that in coming together today we can celebrate the restoration of the legitimate and democratically elected Government in Haiti.

Japan salutes all those in Haiti who fought so courageously for the return of the Head of State that they had chosen of their own free will, President Jean-Bertrand Aristide. Their struggle has not been in vain: their aspirations have been realized. We also welcome the formation of a new Cabinet, which is essential to the proper functioning of a democracy.

I should like to express my appreciation to the Secretary-General and the Security Council for their vigorous efforts in behalf of Haiti. The peacefully deployed multinational force is to be commended for the crucial role it played in paving the way for President Aristide's return. All those who are participating in that force deserve the appreciation of the international community. Japan hopes that the establishment of a secure and stable environment will soon permit the deployment of the United Nations Mission in Haiti, as authorized by Security Council resolution 940 (1994), so that the work begun by the multinational force can be further pursued.

A first step has thus been taken. But the hard work is not over yet and much remains to be done to ensure that democracy takes firm hold in Haiti. President Aristide has asked the international community to provide desperately needed assistance for Haiti's reconstruction efforts.

At the beginning of October a group of donors, including Japan, met to work together to eliminate Haiti's arrears to international financial institutions once it had re-established a democratic government. Japan also decided to end the freeze on economic cooperation with Haiti it had imposed in September 1991 following the *coup d'état*. This month my Government announced that it would extend through the World Food Programme and the International Committee of the Red Cross humanitarian aid in the amount of $1 million to assist returnees and other vulnerable groups in Haiti. And, most recently, it committed $400,000 in emergency aid to help the Haitian people recover from the destruction caused by the hurricane two weeks ago.

Haiti's journey toward peace and prosperity has just begun. It is ultimately only the Haitian people themselves who can ensure that democracy will flourish; it is through their own efforts that the promise of prosperity will be fulfilled. However, the Haitian people should be confident in their efforts toward national restoration, reconciliation and reconstruction, for the international community stands ready to support them as it has done throughout the past three difficult years. Japan, for its part, will continue to follow the progress made in Haiti's democratization and reconstruction efforts with a view to deciding what further support it can offer as appropriate.

Mr. Sardenberg (Brazil): The course of events in Haiti has changed dramatically since the re-establishment of democratic rule in that sister nation. The determination and courageous struggle of the Haitian people, with the assistance of the international community as a whole, were instrumental in achieving this new phase. President Jean-Bertrand Aristide is now back in power and the legitimate aspirations to peace and prosperity should be fulfilled.

The abrupt breakdown of constitutional order in Haiti in 1991 caused constant and deep concern within the international community. The climate of wanton violence and disregard for the basic principles of human dignity became routine in the country. These violations included arbitrary disappearances, illegal imprisonments, torture and suspicious deaths, including the deaths of close associates of President Aristide such as Mr. Antoine Gameri and former Justice Minister Guy Malary. The international community deplored and condemned in the most emphatic way the course of events in Haiti.

First the Organization of American States (OAS) and then the United Nations took vigorous measures against the de facto authorities. A series of resolutions by the OAS, adopted from the very beginning of the crisis, demonstrated the commitment of the countries of the hemisphere to the return of democracy in Haiti. Efforts at the regional level subsequently received the support of the United Nations.

In this context, it is worth mentioning that the partnership between the United Nations and the Organization of American States proved to be an

important success story within the scope of Chapter VIII of the Charter. In our view, the cooperation and coordination in this field between the United Nations and the regional organizations should continue, in compliance with the respective mandates and charters of the two bodies, with a view to strengthening the international community's support for Haiti.

The establishment of the International Civilian Mission to Haiti (MICIVIH) by General Assembly resolution 47/20 B bears testimony to the useful cooperation between the two organizations. Under very difficult circumstances, the MICIVIH in the past played an important role in detecting a large number of arbitrary arrests, illegal detentions and other violations of human rights. Terror and violence were routine methods employed by the de facto authorities to stifle the people of Haiti.

The signing in 1993 of the Governors Island Agreement, approved both by the legitimate Government and by the military junta, gave us renewed hope for the future of the people of Haiti. Unfortunately, these hopes were dashed because the de facto authorities disregarded their commitments.

In the Latin American and the Caribbean region there should be no room for regimes of force. The aspirations of our peoples are clearly directed towards strengthening democratic institutions. At the same time, we should not fail to state that together with the ideals of democratic solidarity we have built in our region a solid legal tradition of respect for the sovereignty and independence of States within it. Article 2(b) of the Charter of the Organization of American States (OAS) states that one essential purpose of the OAS is

> "To promote and consolidate representative democracy, with due respect for the principle of non-intervention".

In the particular case of Haiti, since the eruption of the crisis we have advocated recourse to peaceful means to achieve our goal. Had the sanctions regime imposed against the de facto authorities in the unique and exceptional circumstances that prevailed in Haiti been put into force without hesitation and the means of discussion that were still at our disposal been fully employed, perhaps the international community could have confined its action to the deployment of a traditional United Nations peace-keeping force.

Now that a new phase has been reached in Haiti it is important that appropriate attention be paid to the challenging tasks of reconstruction. Democracy by itself might not be enough to guarantee the road to much-needed development.

President Aristide's restoration to power should not interrupt the international attention paid to Haiti. The international community should not forsake its responsibilities to provide the Haitian people with the generous cooperation it expects for economic and social recovery and with humanitarian emergency assistance.

Since the very beginning of the crisis Brazil has stood alongside the Haitian people, supporting them on the arduous road towards democracy. We will continue to do so. The people of Haiti deserve nothing less.

The meeting rose at 1.15 p.m.